

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

GREATER ST. LOUIS CONSTRUCTION)
LABORERS WELFARE FUND, et al.)
Plaintiffs,)
)
v.) Case No: 4:09-cv-00523-HEA
)
PATRICO MASONRY CO., Inc.)
a Missouri corporation,)
)
Defendant.)

JUDGMENT

Plaintiffs filed this action to recover, *inter alia*, delinquent contributions and liquidated damages allegedly owed to the plaintiff employee benefit funds pursuant to 29 U.S.C. §§185 and 1132. Plaintiffs also seek to recover attorneys' fees, accounting fees, and costs incurred in this action. Defendant was served with the summons and complaint on April 11, 2009, and has not entered an appearance.

Based on a payroll examination covering the period of May 1, 2005 through September 30, 2008, defendant owes plaintiffs \$5,478.89 in unreported contributions. In addition, pursuant to the collective bargaining agreements and ERISA, 29 U.S.C. §1132(g)(2), plaintiffs are owed \$1,215.59 in liquidated damages and \$914.11 in pre-judgment interest. Also, the collective bargaining agreements and ERISA, 29 U.S.C. §1132(g)(2), require defendant to pay plaintiffs' attorneys' fees, accounting fees, and costs. Plaintiffs incurred \$1,955.00 in attorneys' fees, \$1,720.00 in accounting fees, and \$108.00 in process server fees. Based on the evidence presented, the Court finds that the services performed by plaintiffs' accountants and attorneys were reasonable and necessary to the litigation of this case, that the rates charged were reasonable, and that the amount sought for attorneys' fees is reasonable.

The total amount owed by defendants to plaintiffs during this time period is \$11,391.59.

WHEREFORE, IT IS ORDERED, ADJUDGED AND DECREED that plaintiffs shall recover from defendant Patrico Masonry Co., Inc. the total of \$11,391.59.

SO ORDERED:



UNITED STATES DISTRICT JUDGE

Date: January 14, 2010